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ABSTRACT

The paper review Florida's use of the individualized education program (IEP) in addressing discipline issues with behaviorally disordered students. The impact of court rulings on school discipline policies and procedures are examined. IEP components and development are reviewed, and inclusion of disciplinary procedures in the IEP is considered. Implications of the IEP-based approach are examined for service delivery options and least restrictive environments. Issues of suspension and expulsion in Florida are dealt with separately, and an example of Project PASS (Positive Alternatives to School Suspension) is offered to illustrate an efficient, cost-effective approach. A list of resource manuals designed to help Florida districts identify and address issues in suspension and expulsion concludes the paper. (CL)

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CHAPTER 4

UTILIZING THE IEP: FLORIDA'S ANSWER TO THE EXCLUSION OF BEHAVIORALLY DISORDERED STUDENTS

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Background

For many years, educators of exceptional children and youth have recognized the importance of the individualized education program (IEP). Long before the passage of Public Law (P.L.) 94-142, the Education for All Handicapped Children Act, the concept of individual plans for exceptional students was embraced by many state and local school districts across the nation. P.L. 94-142, with its implementing rules and regulations, now requires the development, implementation, and review of an IEP for each handicapped student. Despite these mandates, questions still arise related to either the content of the IEP or the procedures by which it is to be developed. One such question concerning the discipline methods to be utilized with handicapped (particularly behaviorally disordered) children and youth is generating a great deal of interest and attention at the state and local level. This chapter presents one effort to utilize the IEP to resolve this question.

A Court Decision and Its Impact

In the early part of the 1977-78 school year, nine handicapped students were expelled from Clewiston High School in Hendry County, Florida, for alleged misconduct. The students were classified as educable mentally retarded or mildly retarded and the misconduct on which the expulsions were based included masturbation, other sexual acts, willful defiance of authority, insubordination, vandalism, and the use of profane language. Each of the students was expelled for the remainder of the 1977-78 school year and for

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the entire 1978-79 school year, the maximum time permitted by Florida law. One of the students (S-1) requested a hearing to determine whether the misconduct was a manifestation of his handicap. The decision of the superintendent of Hendry County Schools was that because S-1 was not seriously emotionally disturbed, his misconduct could not be a manifestation of his handicap. The other students did not request, and were not given, hearings. Two of the students, S-7 and S-9, later requested due process hearings and those requests were denied.

A case was initiated in the District Court of the Southern District of Florida, alleging violations of the students' rights under the Education for All Handicapped Children Act (EHA) and Section 504 of the Rehabilitation Act of 1973. The court found that the expelled students were denied the right to a free and appropriate public education. In addition, the court decided that no handicapped students could be expelled for misconduct related to the handicap, and, that in the case of S-2, S-3, S-4, S-5, S-6, and S-8, no determination was ever made of the relationships between their handicaps and their behavioral problems. Further, the court ruled that in the case of S-1 the superintendent's determination was insufficient; only a trained and knowledgeable group could make this decision and the school board officials lacked the necessary expertise to make such a decision. The court also found that although S-7 and S-9 had voluntarily withdrawn from school, they were still entitled to due process hearings. Finally, the court found that the plaintiffs had suffered irreparable harm by the loss of two years of education and entered an injunction compelling state and local officials to provide the plaintiffs with the educational services and procedural rights required by federal law and implementing rules and regulations.

The defendants (Turlington, et al.) attacked the trial court's entry of a preliminary injunction as an abuse of discretion and appealed to the

United States Court of Appeals, Fifth Circuit, Unit B. On January 26, 1981, the United States Court of Appeals affirmed the earlier decision by the District Court. In making this decision, the court held that:

1. Before a handicapped student can be expelled, a trained and knowledgeable group of persons must determine whether the student's misconduct bears a relationship to his handicapping condition.

2. The determination that a handicapped student knows the difference between right and wrong is not tantamount to determination that his misconduct was or was not a manifestation of his handicap. Further, determination that students are not seriously emotionally disturbed is not acceptable as determination that misconduct was not a symptom of handicap.

3. An expulsion is a change in educational placement which invokes the procedural protections of the Education For All Handicapped Children Act and Section 504 of the Rehabilitation Act.

4. Expulsion is a proper tool under EHA and Section 504, but a complete cessation of educational services is not.

5. The EHA requirement that parents have an opportunity for due process hearing makes no exception for handicapped students who voluntarily withdraw from school or previously agree to an educational placement.

6. The State Educational Agency (SEA) is responsible for ensuring implementation of EHA and expulsion proceedings may deny benefits of EHA to children entitled to education under the Act.

To give direction to local school districts in complying with the decision issued by the United Court of Appeals, the Florida State Board of Education adopted revisions to the State Board of Education Rules dealing with the discipline of handicapped students. State Board of Education Rule (SBER) 6A-6.331(2) requires that:

1. A staffing committee utilizing the process of reviewing diagnostic, evaluation, educational or social data shall recommend the student's educational placement.

2. A minimum of three professional personnel, one of whom shall be the district administrator of exceptional students or designee, shall meet as an eligibility and placement staffing committee. Additional personnel may be involved

in the eligibility and placement recommendation by providing information or by attending staffing meetings.

As a result of the rule revisions, local school districts were required to develop written policies and procedures regarding the discipline of handicapped students as well as procedures for informing a handicapped student's parent or guardian of these policies. These written policies and procedures must then be included in each county's District Procedures for Providing Programs for Exceptional Students which are submitted each year to the State Board of Education Division of Public Schools for review and approval. The policies and procedures established by each school district must:

1. Address instances in which handicapped students engage in behavior that, under normal circumstances, could warrant expulsion action;

2. Require that a staffing committee meet to determine whether a student's misconduct bears a relationship to his handicap;

3. Specify that the membership of the staffing committee complies with the requirements of SBER 6A-6.331(2);

4. Ensure that any change in educational placement does not result in a complete cessation of educational services;

5. Ensure that approved policies and procedures for conducting IEP meetings and providing procedural safeguards to parents and guardians of handicapped students apply to the staffing and change of placement provisions consistent with SBER 6A-6.331(3);

6. Ensure that the handicapped student's parent or guardian is informed of these policies and procedures (Bureau of Education for Exceptional Students, 1983).

Thus, attempts to implement the court's decision resulted in changes in Florida State Board of Education rules and in steps taken by the Bureau of Education for Exceptional Students to provide assistance to local school districts in the development of policies and procedures for the discipline of handicapped students. While it should be understood that S-1 v. Turlington was a Florida case and only Florida state officials are required to enforce

all provisions of the order, the reasoning used in S-1 v. Turlington has been found persuasive by many courts since that time. It, thus, has had an impact on the policies of many states. Further, in states where its reasoning has not yet been applied, it can be reasonably expected that any future cases will rely heavily on its precedents.

The Individualized Education Program - General and Disciplinary Issues

According to the rules and regulations of P.L. 94-142, each public agency is responsible for initiating and conducting meetings for the purpose of developing, reviewing, and revising a handicapped child's individualized education program. Each IEP must include statements as to the student's present level of educational performance, annual goals and short term instructional objectives; special education and related services to be provided; the extent to which the student will participate in the regular education program; when services will begin and their anticipated duration; objective criteria for evaluating whether instructional objectives are being met; and a schedule for evaluation on at least an annual basis (Federal Register, August 23, 1977). The extent to which each of these items will be addressed is, however, not specified by federal law or regulations and may vary considerably from one school district to another. The format, length, and detail of the IEP are left to the discretion of state and local agencies. While the responsibility for the development and implementation of a student's IEP rests with the state education agency, each school district within a given state may in fact utilize a different form. In some districts, the IEP may be developed in two phases, with annual goals included in the first phase, and short term instructional objectives written after the student's placement.

Since federal requirements may be met by a one to three page form, many IEPs upon which important decisions concerning a handicapped student's

placement and educational program are often only rudimentary in nature. The point here is that many problems and questions concerning the discipline of behaviorally disordered children and youth could be avoided by improving the general IEP quality. Often, a more carefully planned and appropriately written IEP will obviate the need for extraordinary measures relative to the discipline issues involved for behaviorally disordered children and youth.

Development of the IEP

As outlined by Wood (1981) the steps to be followed in the development and implementation of the IEP are: (a) information identification and referral, including parent contact; (b) referral review by a school person other than the referring teacher; (c) formal educational assessment following parent approval; (d) development of a statement of educational alternatives; (e) meeting with parents to develop the IEP; (f) approval of the IEP by parents; (g) implementation of the IEP; (h) periodic review of the IEP by parents and school personnel with possible reassessment and modification.

The IEP of any handicapped student should address those areas of functioning in which the individual will need special education and/or related services. It is, therefore, critical that, at every step during the development of the IEP for a behaviorally disordered student, due consideration be given to his/her social and emotional characteristics and needs.

Referral, Screening, and Assessment

Close adherence to appropriate screening and assessment procedures will ensure that the problems exhibited by the behaviorally disordered student will be defined and described in the IEP and that strategies for dealing with these behavioral problems will be included in the statements of goals and objectives. Federal rules and regulations require that tests and other evaluation materials utilized during the assessment process must include

those tailored to assess specific areas of educational need. While many of these students score below the normal range on standardized tests of intelligence or achievement, it is generally their maladaptive social behavior that leads to referral and subsequent identification as behaviorally disordered. Simpson (1981) has suggested procedures that constitute an effective screening for behaviorally disordered students should include: (a) an interview with the parent or legal guardian; (b) the completion of at least one rating scale; (c) direct classroom observation which yields objective empirical data; (d) peer evaluation; and (e) self-evaluation.

Inclusion of Disciplinary Procedures in the IEP

In an earlier document which addressed the disciplinary exclusion of behaviorally disordered students from public school programs, one of the issues cited as still controversial was whether the individualized education program should normally include disciplinary procedures (Grosenick & Huntze, 1981). While some court decisions have included directions to school districts to include specific goals, objectives, placements, or related services in an individual student's IEP the issue of specificity has not been resolved at the federal level.

The Florida State Department of Education (DOE) has recommended that each school district develop written procedures to accomplish the following:

(a) The IEP for a handicapped student should reflect behavior problems which are related to the handicapping condition together with goals and objectives for dealing with those behaviors; and

(b) If the procedures included in the IEP do not result in an improvement in the behaviors described, an IEP review should be conducted for the purpose of evaluating the student's program (Wells, 1981).

Review of the IEP

In the event that a handicapped student should exhibit problem behavior that might normally result in expulsion, the IEP should be reviewed to determine if the behavior in question has been addressed in the annual goals or short term objectives. If the particular behavior has been specified as one of the factors leading to placement of the student in the special education program, there would be no doubt that this behavior is related to the handicapping condition. It is particularly important to note that many maladaptive behaviors associated with the condition of behavioral disorder are precisely those behaviors that might usually lead to expulsion or suspension from public school programs. Information derived from rating scales or classroom observations may prove to be extremely valuable in this regard. If the misconduct has already been addressed in the IEP, recommendations may have been included as to appropriate discipline strategies to use or to avoid in dealing with the student.

To comply with federal regulations, a meeting must be held at least once a year for the purpose of reviewing the IEP and to revise its provisions if appropriate. It is obvious, however, that many discipline problems could be prevented if there would be coordinated, continuous evaluation of the progress of the handicapped student. If the annual goals, short term objectives, and the placement are appropriate for the student, there generally is improvement. If there is not improvement, the IEP committee has an obligation to change the educational program.

Parent Involvement in IEP Review

All of the procedural safeguards which are normally available to parents are also available under the circumstances of possible exclusion of the handicapped student from school. These safeguards include, but are not limited

to, informed notice, informed consent if a change in placement is recommended, the right to refuse consent, the right to participate in decisions regarding the education program, and the right to request an impartial due process hearing regarding these matters (State of Florida, DOE, 1981). If the parent should disagree with a proposed change in the educational program and a due process hearing is initiated, the student must be allowed to continue to attend the program in which he/she has been placed while any administrative or judicial proceeding regarding a complaint is pending. If suspension occurs during this period, the student must be allowed to return to the same program following the termination of the suspension period.

During both the development of the IEP and the IEP review, parents should be given the opportunity to discuss the types of intervention that they feel have been effective with the student. They should also express their opinions concerning behavioral management techniques that are utilized in the various educational settings in which the student may be placed. The particular issues that should be explained to, or negotiated with, the parents or guardians include (a) the use of tangible rewards, (b) the use of corporal punishment, other aversive techniques, time-out, or isolation rooms, and (c) school or district policy concerning the management of a student who is uncontrollable or is considered to be a danger to himself/herself or others. In some districts, the IEP includes a form on which the parent may indicate written approval or disapproval of the use of various behavior management techniques. The parents should also be encouraged to request parent counseling or training if either seem to be necessary or desirable in dealing with the special needs of the student.

Service Delivery Options

According to federal law, a full continuum of alternative placements must be available to handicapped students, to include: regular class; regular class with supplementary services, such as resource room or itinerant instruction; special class; special schools; home instruction; and instruction in hospitals and institutions. If the behaviorally disordered student is exhibiting problem behavior in one setting that might normally result in suspension, the staffing committee may determine that placement in a more restrictive environment would be appropriate.

The Least Restrictive Environment

Federal law provides for placement of a handicapped student in the environment that is as close to regular education as is feasible for the student, in which his/her educational needs can be met. The purpose of placement in a more restrictive environment should, therefore, be to bring more services to bear upon the student's educational deficits and not merely to protect the normal population from the problem student. Although least restrictive environment and regular class are not synonymous, after the implementation of this mandate, many behaviorally disordered students who had previously been placed in segregated settings were reassigned to regular classes for at least part of the school day. It is, however, generally recognized that behavior problems may result from, or be exacerbated by, the student's inability to cope in an environment in which he/she cannot achieve success. Further, according to an analysis of the federal regulations, with respect to proper placements, if a handicapped child's behavior is so disruptive in a regular classroom that the education of other students is significantly impaired, regular class placement is not considered to be appropriate to that child's needs. Selection of regular classes into which

the behaviorally disordered student would be integrated should, therefore, be made very carefully, with full consideration given to the social and emotional as well as the cognitive demands of that setting.

Expulsion of Handicapped Students In Florida

Expulsion, according to Florida statues, is the removal of the right and obligation of a student to attend a public school under conditions set by the school, and for a period of time not to exceed the remainder of the term or school year and one additional year of attendance. A principal or his/her designated representative may recommend to the superintendent the expulsion of any student who has committed a serious breach of conduct, including, but not limited to, willful disobedience, open defiance of authority, violence against persons or property, or any other act which substantially disrupts the orderly conduct of the school. The recommendation must include a detailed report by the principal or his/her representative of the alternative measures taken prior to the recommendation of expulsion. The superintendent reviews and modifies such recommendations and transmits them to the school board for action. Written notice of a recommendation of expulsion must be given to the pupil and his/her parents or guardian, setting forth the charges against the pupil and his/her right to due process.

Following the approved procedures, Florida school and district personnel may seek to remove an exceptional student from participation in some part of the educational program provided by the district. The district may not, however, remove all of a handicapped student's rights to an education for more than ten days. Such a removal is interpreted as a complete cessation of educational services and is in violation of the student's right to a free, appropriate public education.

The rules and regulations of P.L. 94-142 require that placement decisions

will be made by "a group of persons, including persons knowledgeable about the child, the meaning of the evaluation data, and the placement options . . . " (Federal Register, 1977, p. 42497). Since expulsion of handicapped students, according to judicial decisions, constitutes a change in placement, the decision to exclude a handicapped student from school must be made by such a group of knowledgeable persons.

Relationship of Misconduct to the Handicapping Condition

In most of the landmark cases that have successfully challenged the disciplinary exclusion of handicapped children from public education, the courts have found such exclusion to be in violation of the student's right to a free, appropriate public education (Grosenick & Huntze, 1981). In several cases, however, the courts have ruled that a student could be excluded, according to the same law that governs exclusion of the nonhandicapped, if the student's behavior termed misconduct was not related to his/her handicap. Within the State of Florida, each school district's Procedures for Providing Special Education for Exceptional Students must now include the requirements and procedures for using a staffing committee to determine whether or not the student's misconduct is related to his/her handicapping condition. If the committee determines that the misconduct is related to the student's handicap, the student is not to be expelled. If the student's misconduct is not found to be related to his/her handicapping condition, the student may be expelled from that program, but a complete cessation of educational services must not occur. The expulsion will, therefore, trigger the process of IEP review. Further, as was discussed in Chapter 1, the courts have virtually never found that the behavior was not related to the handicapping condition. Given that, a local district would do well to carefully examine any instance in which exclusion proceeded based upon the assumption of no relationship

between the behavior and the handicapping condition.

The Issue of Suspension in Florida

Florida statues define suspension as the temporary removal of a student from his/her regular school program for a period not to exceed ten days. The authority to suspend a student rests with the school principal in accordance with rules of the local district school board with a report submitted to the parent or guardian and to the district superintendent within 24 hours.

Although the court ruling in S-1 v. Turlington and the subsequent State Board of Education rule changes required special procedures for expulsion only, many educators felt that there were implications for suspension policies and procedures as well. In response to the many questions resulting from the ruling, the Florida Bureau of Education for Exceptional Students (BEES) offered several suggestions regarding the suspension of handicapped students (Wells, 1981; Bureau of Education for Exceptional Students, 1983). These comments follow.

Suspension of Handicapped Students

Some of the court decisions which preceded the Florida decision have made reference to harm to handicapped students, such as deterioration in intellectual and emotional development, which may result from even short periods of exclusion. The issue at point has been the length of time during which a student may be suspended before his/her placement has been changed, since change of placement triggers the requirement for an IEP review; parent notice, consent and participation; and the parents' right to challenge the placement recommendation.

Two basic assumptions have been supported in court decisions regarding suspension. First, in an emergency situation, the school has the right to use its normal suspension procedures, provided that the handicapped student is

substantially disrupting the educational process or endangering himself/herself or others. Second, although the length of suspension periods has been challenged in some states, the general trend appears to support the school's right to suspend for a maximum ten day period. Overuse and abuse of the suspension procedures established in state law has resulted in court decisions which either disallowed the use of serial suspensions or shortened the maximum length of the suspension period.

It is important that school and district administrators be aware of both state law and local policy regarding suspensions and have a common understanding of what constitutes an emergency situation. The use of suspension, particularly with handicapped students, should be carefully evaluated.

In the event of a possible suspension of a handicapped student, school administrators have been advised to consider the following questions:

1. Does the district's code of student conduct provide for suspension for this particular offense?
2. What benefit may be derived from suspending the student?
3. Are there other discipline strategies that would be more appropriate?
4. Is there any reason to believe that the misconduct is related to the student's handicapping condition and, if so, what action should be taken?
5. Has the student been suspended previously and, if so, what were the circumstances?
6. If the decision is made to suspend the student, for what period of time should the student be denied access to education?
7. What actions will be recommended to the student and his/her parent or guardian in order to facilitate successful re-entry into the school program?
8. If the recommendation includes obtaining school district or community services, how can the process be facilitated? (State of Florida DOE, 1983)

School personnel have been cautioned to avoid the use of multiple or sequential suspensions with handicapped students. Such practice may be interpreted as a complete cessation of educational services, which is a violation of the handicapped students' right to a free, appropriate education as provided in state and federal law and regulations.

Although the school district's code of student conduct applies to handicapped students as well as to the normal population, an exception must be included to ensure that the handicapped students will not be denied educational services. Behaviorally disordered students in particular may be less able than other students to control their behavior. Further, any form of discipline used must be considered in terms of the eventual effect upon the student's behavior. Any disciplinary practice which exacerbates a handicapped student's behavior would be inappropriate for use with that student.

When a handicapped student's behavior is so disruptive to the education of others that he/she must be removed from that setting, the school district may consider the following alternatives:

1. Provision of additional related services, such as diagnosis and evaluation, counseling, medical services, parent counseling, or parent training;
2. A change in disciplinary procedures or organizational structure within the same special education program;
3. Increased time in the current special education program;
4. Provision of a special education program in another setting;
5. Involvement with programs funded by other agencies, such as Health and Rehabilitative Services, community colleges, or others;
6. Returning the student to regular education.

It is important to ensure that any proposed change in an educational program provides for both (a) the individual needs of the student and (b) placement

in the least restrictive environment (Wells, 1981).

An Example of an Alternative to School Suspension

The PASS Program. A comprehensive intervention program designed specifically for the purpose of preventing suspensions is Project PASS (Positive Alternatives to School Suspension) in Pinellas County, Florida. Project PASS was developed in 1971 because of a critical increase in student behavior problems and subsequent suspensions resulting from forced desegregation in a densely populated urban area. The project began operations as a two-year pilot program in three secondary schools, funded under Elementary and Secondary Act Title III.

The major activities of the original PASS program included:

1. The provision by a social worker and school psychologist, of individual and group consultation sessions for the purpose of assisting school faculties in developing techniques for interacting effectively with adolescent students;

2. Consultation with parents to assist them in developing skills in communication and problem-solving which lead to improved family relationships;

3. The establishment of "Time-Out Rooms" managed by a teacher or para-professional who received supervision from the school worker and psychologist; and

4. The provision of counseling for both the students who experienced serious or recurring interpersonal confrontations and their parents.

Program Evaluation. The effectiveness of the PASS program was documented by a survey of the three schools in which the program was implemented and three comparison schools selected by geographic proximity to the PASS schools. The results of the survey indicated that the PASS schools had a significantly lower proportion of suspensions than the comparison schools during both years. As a result of the success of the project in the pilot schools, the PASS program has been expanded to serve all high schools in the district.

Program Expansion. The program has been expanded to emphasize five areas of development:

1. The staff development activities include inservice training programs with followup consultations for each staff member, psychologist, teacher or paraprofessional, beginning with individual self-exploration by each staff member.

2. Parent training activities are provided in six two-hour sessions.

3. The Time-Out Room provides an opportunity for students to talk about problems with a "facilitative listener." The Time-Out Room Resource Teacher helps students to forecast consequences, explore alternatives, make decisions, and develop specific plans which frequently lead to more productive behavior in the student's regular classes. Students are sent to the Time-Out Room by school personnel, or the service can be requested by the students themselves. The room also serves as an in-school suspension center for a limited period of time; however, while in the Time-Out Room, students receive assignments from regular classes so that they do not fall behind in their subjects. Because prolonged isolation or segregation from the regular program is considered to be detrimental, the emphasis is placed upon returning students to their regular classes as quickly as they can develop a plan for the resolution of their difficulties. Administrators, counselors, and teachers are kept informed of students' progress while they are in the Time-Out Room.

4. Conferences, counseling, and group work are provided for students who are spending more than three class periods per day in the Time-Out Room to help them resolve their conflicts.

5. Intensive intervention is provided by a school psychologist and a social worker for the estimated one percent of the students who are having difficulty developing acceptable social behaviors. The psychologist and social worker are available not only to the students but also to the staff and parents.

6. Innovative courses have also been introduced. "Staff Development for a Humanistic School" and "Humanistic Activities in the Regular Classroom" are for the purpose of helping students and teachers learn to know and appreciate one another. "A Student's School Survival Course" and "A Student's Home Survival Course" are for the purpose of helping students to learn to interact more effectively with others in their environment.

Project Dissemination. During the period from October, 1980 to February, 1982, with funding from the National Diffusion Network, PASS training was conducted in 26 states, with over 6800 individuals involved. All or part of the program has been adopted in 20 states, and certified demonstration sites have been established in Alabama, Connecticut, Indiana, Louisiana, New York, Oregon, and Texas.

Cost Information. Operational costs for the program include the salaries of a psychologist and social worker, shared by five schools, and a Time-Out Room teacher for each school. The program has been continued and expanded with state and local funding along with support from Elementary and Secondary Act Title IV B funds which are available for counseling and guidance programs. Support for project dissemination was received from the National Diffusion Network. Other districts that have adopted all or part of the PASS program have used federal, state, and local funds for program support.

State Department of Education Resource Manuals

In response to the need for a more positive approach to the discipline problems of handicapped youth, several projects were authorized by the Bureau of Education for Exceptional Students, State of Florida Department of Education, and funded under Federal Assistance for the Education for the Handicapped (P.L. 91-230, EHA Part B, as amended by P.L. 93-380 and P.L. 94-142). These projects, developed by various Florida school districts, culminated in the publication of a series of resource manuals for use by state and local education agencies in designing and implementing appropriate educational programs for handicapped students. Of particular interest to educators of behaviorally disordered students are Volume IV-D, Educating Parents of the Severely Emotionally Disturbed, Volume IV-G, Positive Discipline for Exceptional Students, and Volume V-C, Affective Curriculum for Secondary Handicapped Students.

Positive Discipline for Exceptional Students

The resource manual, Positive Discipline for Exceptional Students, was an outcome of Project AIDES (Alternatives in Discipline for Exceptional Students). The manual and accompanying training materials were developed in the Polk County school district for the expressed purpose of assisting school district personnel in: (a) preventing the occurrence of unacceptable behavior; (b) providing positive opportunities for students to acquire standards of conduct which generally conform to those expected within the student's environment; (c) intervening in a positive manner when students are experiencing behavior problems; and (d) complying with statutes, rules, and district procedures in the event that an exceptional student is to be suspended or expelled from school (Bureau of Education for Exceptional Students, 1983).

The resource manual is divided into three sections. The first section deals with the prevention of discipline problems and covers such topics as: (a) the school's approach toward meeting the basic human needs of students; (b) the communication skills viewed as necessary by adults in the school environment; (c) key points of school and district operation at which discipline should be addressed and strategies for providing information about discipline to school district staff, parents and students; (d) the systems of communication used by school staff for addressing disciplinary needs and expectations, and (e) planning and evaluation for the purpose of making improvements in the school environment (BEES, 1983).

The second section outlines organizational options that should be made available in the regular schools for the purpose of providing positive discipline for all students. The list of options is by no means exhaustive but serves to illustrate ways in which the physical environment may be manipulated to arrange special settings in which students have the opportunity

to learn acceptable standards of conduct. These options include: (a) time-out within the classroom, (b) instructional time-out rooms, (c) a peer facilitator program, (d) behavioral instruction, and (e) crisis intervention.

The third section of the resource manual addresses issues which relate specifically to the discipline of exceptional students when provisions for prevention of behavioral problems have not been effective, including procedures for compliance with federal, state, and local laws, rules and regulations.

Educating Parents of the Emotionally Disturbed

A comprehensive program, Educating Parents of the Emotionally Disturbed, was developed by the Dade County Public Schools for the Florida Department of Education. The eleven week program consists of nine group sessions and two home visits. Topics covered in the group sessions include: (a) the nature of emotional disturbance; (b) parents' reactions to their child's handicapping conditions; (c) helping parents cope with their own stress and stress in their child; (d) communication skills: (e) active listening "I" messages; (f) dealing with crisis; (g) community resources; (h) conflict resolution; (i) problem solving; (j) working with the schools; and (k) networking. In addition to the nine modules, a set of nine audiovisual presentations were developed to accompany this training package.

Affective Curriculum for Secondary Emotionally Handicapped Students

The Model Affective Resource Curriculum (MARC) was developed by the Orange County Public Schools. The MARC curriculum consists of four units: Self Control, Problem Solving, Communication, and Behavioral Interactions. Each unit includes 18 skill lessons and 14 activities to be taught over a nine week period. The affective curriculum, which includes compilations and modifications of commercial materials, focuses on developing the cognitive

and behavioral skills needed for social competence. Also included in the resource manual are newsletters designed to introduce the MARC curriculum to parents, an outline for staff development, worksheets for use with the students, and an extensive bibliography.

Conclusion

Thus, as a result of the impact of the S-1 v. Turlington case, Florida has developed a several pronged approach to the discipline and exclusion of handicapped children and youth. These approaches, as outlined in this chapter, include: (1) better utilization of the IEP; (2) guidelines for the consideration of expulsion or suspension; (3) implementation of preventative programs; and (4) the development of resource manuals that help districts identify and address the relevant issues. It is hoped that such a diverse approach will assist local education agencies in the consideration of the complex issues and procedures that surround the subject of disciplinary exclusion of behaviorally disordered children and youth.

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